

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

No. 5:09-CR-216-3FL

| | | |
|---------------------------------|---|------------------------------|
| UNITED STATES OF AMERICA |) | |
| |) | RESPONSE TO MOTIONS |
| v. |) | TO CONTINUE |
| |) | ARRAIGNMENT AND TRIAL |
| ANES SUBASIC, |) | |
| Defendant |) | |

The Defendant, Anes Subasic, comes by and through undersigned counsel and respectfully responds to the motions to continue arraignment and trial filed by Hysen Sherifi and Daniel Boyd (DE 360, 367) as follows:

1. Undersigned counsel informs the Court that Mr. Subasic himself personally opposes any continuance of his trial; he has been in custody since July 27, 2009, believes that he has been set up, and does not wish to delay his day in court, which he believes will restore his liberty.
2. Undersigned counsel has consulted applicable constitutional and professional responsibility standards, and, after consideration of those standards and his own professional judgment, informs the Court that undersigned counsel personally believes that a continuance is warranted and prudent to provide Mr. Subasic with effective assistance of counsel at his trial.
3. After consultation with Mr. Subasic, undersigned counsel's response to the motions to continue filed by Mr. Sherifi and Mr. Daniel Boyd is that he takes no position, neither joining nor opposing those motions, and leaves the question of continuing Mr. Subasic's arraignment and trial in the Court's discretion.

Wherefore, undersigned counsel, after consultation with Mr. Subasic,
respectfully takes no position on the motions to continue filed by Mr. Sherifi and Mr.
Daniel Boyd.

Respectfully submitted, this the 1st day of June, 2010.

CHESHIRE, PARKER, SCHNEIDER,
BRYAN & VITALE

/s/ John Keating Wiles
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CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above and foregoing Response to Motions to Continue Arraignment and Trial has been duly served on the following:

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Service was made by electronically filing the foregoing with the Clerk of Court on June 1, 2010, using the CM/ECF system which will send notification of such filing to the above.

This the 1st day of June, 2010.

/s/ John Keating Wiles

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